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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,403	03/22/2000	Yu Minakuchi	1341.1041/JDH	8398

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EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 01/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/534,403

Applicant(s)

MINAKUCHI ET AL.

Examiner

Adnan M Mirza

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03/22/00.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yao et al (U.S. 5,938,734) and further in view of Asamizuya et al (U.S. 6,314,576).

As per claims 1, 12, 13 Yao disclosed an information distribution/reproduction control apparatus comprising: a distribution control unit which controls an information distribution device (col. 3, lines 1-20), regarding a distribution of real-time reproducible stream information to from said distribution device a receiving device (col. 11, lines 17-27); and

However Yao failed to disclose a reproduction control unit which controls said receiving device, regarding a real-time reproduction of the stream information.

In the same field of endeavor Asamizuya disclosed the near-video-on-demand (NVOD) compilation unit has a film stock conversion device (device called "Telecine") which reads the movie of the film stock recorded on the films and converts the same to video signals and audio signals, that is, AV signals. Further, the near-video-on-demand (NVOD) compilation unit has a video signal reproducing apparatus for reproducing the analog or digital AV signals recorded on video tape (referred to as "VTR stock") (col. 8, lines 57-65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the reproduction control unit which controls said receiving device,

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regarding a real-time reproduction of the stream information as taught by Asamizuya in the method of Yao to be more versatile in the methodology of digital data streaming and reduce the cost.

3. As per claim 2 Asamizuya disclosed further comprising a change-over unit to be manipulated by an operator for changing over the control of the reproduction control unit to other control, wherein said reproduction control unit controls said receiving device according to the control changed-over by said change-over unit (col. 9, lines 30-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated further comprising a change-over unit to be manipulated by an operator for changing over the control of the reproduction control unit to other control, wherein said reproduction control unit controls said receiving device according to the control changed-over by said change-over unit as taught by Asamizuya in the method of Yao to be more versatile in the methodology of digital data streaming and reduce the cost.

4. As per claim 3 Yao disclosed further comprising a memory unit which stores a schedule information on a control schedule of said distribution control unit and a control schedule of said reproduction control unit, wherein said distribution control unit controls said information distribution device based on the schedule information (col. 3, lines 1-20), and said reproduction control unit controls said receiving device based on the schedule information stored in said memory unit (col. 11, lines 15-38).

5. As per claim 4 Asamizyua disclosed wherein a plurality of said receiving devices are provided, and said reproduction control unit carries out an identical control to each of said

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receiving devices and prohibits an execution of an external control relating to a reproduction at said receiving devices (col. 10, lines 5-12).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated wherein a plurality of said receiving devices are provided, and said reproduction control unit carries out an identical control to each of said receiving devices and prohibits an execution of an external control relating to a reproduction at said receiving devices as taught by Asamizuya in the method of Yao to be more versatile in the methodology of digital data streaming and reduce the cost.

6. As per claim 5 Asamizyua disclosed a plurality of said receiving devices are provided, and said reproduction control unit carries out an identical control to each of said receiving devices and permits an execution of an external control relating to a reproduction at said receiving devices (col. 9, lines 30-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the plurality of said receiving devices are provided, and said reproduction control unit carries out an identical control to each of said receiving devices and permits an execution of an external control relating to a reproduction at said receiving devices as taught by Asamizuya in the method of Yao to be more versatile in the methodology of digital data streaming and reduce the cost.

7. As per claims 6,7,14 Yao-Asamizyua disclosed a distribution control unit which controls an information distribution device to distribute real-time reproducible stream information to the distribution control unit itself (Yao, col. 11, lines 15-37); an editing unit which distributes edited stream information that is the stream information which has been edited, to a

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receiving device (Asamizyua, col. 8, lines 51-57); and a reproduction control unit which controls said receiving device, regarding a real-time reproduction of the edited stream information (Asamizyua, col. 8, lines 50-65).

8. As per claims 8,10 Yao-Asamizyua disclosed an information distribution/reproduction control apparatus comprising: a distribution control unit which controls a plurality of information distribution devices (Yao, col. 6, lines 25-36), regarding a distribution of stream information including moving picture data that can be reproduced in real time to a receiving device (Asamizyua, col. 4, lines 1-17); and a reproduction control unit which controls said receiving device, regarding a display method relating to a real-time reproduction of a plurality of the stream information (Asamizyua, col. 8, lines 63-67).

9. As per claims 9,11 Asamizyua disclosed further comprising a memory unit which stores importance level information on the importance level of each of the plurality of stream information, wherein said reproduction control unit controls said receiving device so as to reproduce the stream information of higher level of importance with higher priority over the rest of the stream information based on the importance level information stored in said memory unit (col. 10, lines 21-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated further comprising a memory unit which stores importance level information on the importance level of each of the plurality of stream information, wherein said reproduction control unit controls said receiving device so as to reproduce the stream information of higher level of importance with higher priority over the rest of the stream information based on the importance level information stored in said memory unit as taught by

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Asamizuya in the method of Yao to be more versatile in the methodology of digital data streaming and reduce the cost.

***Conclusion***

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

11. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703)-308-5221. The fax for this group is (703)-746-7239.

12. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

13. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

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BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4<sup>th</sup> Floor Receptionist, Crystal Park II,  
2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner

  
**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**